



Legislation Details (With Board Report)

File #: 23-245 **Name:** Approve yearly update to Supervised Home Confinement Program

Type: General Agenda Item **Status:** Passed

File created: 3/14/2023 **In control:** Board of Supervisors

On agenda: 4/18/2023 **Final action:** 4/18/2023

Title: Approve yearly update to the application, criteria and disqualifiers recommended by the Probation Department for the Supervised Home Confinement Program, as mandated by Penal Code §1203.016(d)(1).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. SHC Application (English) - 2023, 3. SHC Application (Spanish) - 2023, 4. Completed Board Order Item No. 42

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------|--------|--------|
| 4/18/2023 | 1 | Board of Supervisors | | |

Approve yearly update to the application, criteria and disqualifiers recommended by the Probation Department for the Supervised Home Confinement Program, as mandated by Penal Code §1203.016(d)(1).

RECOMMENDATION:

It is recommended that the Board of Supervisors approve the yearly update to the application, criteria and disqualifiers recommended by the Probation Department for the Supervised Home Confinement Program, as mandated by Penal Code §1203.016(d)(1).

SUMMARY/DISCUSSION:

The Monterey County Probation Department administers the Supervised Home Confinement (SHC) Program, which operates as a house arrest module to allow inmates sentenced to county jail to voluntarily participate or be placed in a home detention program during their sentence in lieu of confinement in county jail. SHC provides a credible and safe level of supervision to participants, who are also monitored through the use of electric monitoring technology, which may include Global Positioning System (GPS) devices or other supervising devices for the purpose of helping to verify compliance with the rules and regulations of the home detention program.

This program allows participants to remain employed and attend rehabilitative programs and authorized activities while reducing the taxpayers’ burden from high costs associated with incarceration.

The Probation Department utilizes criteria for admission and disqualification to assess participants’ suitability while ensuring that the safety of the community is not unduly compromised.

Penal Code §1203.016(d)(1) requires that the rules and regulations and administrative policy of the SHC Program be reviewed and approved on an annual basis by the county’s Board of Supervisors and the Chief Probation Officer, as correctional administrator.

In recent years, a series of legislative changes has altered Probation’s authority to collect fees from juvenile and

adult offenders under its supervision for the recovery of reasonable costs of probation services. In particular, Assembly Bill 1869 of 2020 repealed the authority to collect fees from adult offenders, effective July 1, 2021. In compliance with the mandates, all references to fees and payments were removed from the SHC application following previous annual review in July 2021. There were no substantial changes in the criteria following the annual review in 2022.

After review by the Probation Department, this update of SHC criteria is recommended to be approved without any substantial change to the existing criteria.

A copy of the program application with criteria is on file with the Clerk of the Board.

OTHER AGENCY INVOLVEMENT:

The application has been approved by County Counsel as to compliance with legal requirements.

FINANCING:

There is no cost associated with the recommended action.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This recommendation supports the Strategic Initiatives of Public Safety through compliance to Penal Code mandates and community safety through electronic monitoring supervision, and Economic Development as offenders can maintain employment while in the program.

- X Economic Development
- Administration
- Health & Human Services
- Infrastructure
- X Public Safety

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Attachments:

- SHC Application with criteria (English)
- SHC Application with criteria (Spanish)